

"Antiseptic and Disinfectant * * * Acts on the Germs that continuously multiply themselves in the mouth, diminishing in this way their destructive action on the dental tissues. Method of using: 15 or 20 drops in a glassful of water." Misbranding was alleged for the further reason that the following statements appearing in Spanish, regarding the curative or therapeutic effects of the said article, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton, translation) "For all Diseases of the Mouth * * * Recommended for the Affections of the Mouth;" (bottle, translation) "For All Diseases of the Mouth;" (circular, translation) "Great Preventative against Pyorrhea alveolar. It is invaluable for affections of the Respiratory Tract, energetic counter-irritant against Pericementitis, scientific preparation against Inflammation of the gums. Destroys the formation of Sanguineous and Salivary Calculus. * * * Prevents the formation of Caries. Efficacious against * * * Sick Gums."

On January 5, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19388. Adulteration and misbranding of mineral water. U. S. v. 20 Cases of Geneva Mineral Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27627. I. S. No. 45493. S. No. 5670.)

Examination of samples of Geneva mineral water from the shipment herein described showed that the article was contaminated by the presence of colon-aerogenes organisms; that it contained but negligible amounts of certain of the declared minerals; and that the labeling bore unwarranted therapeutic claims.

On January 6, 1932, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 20 cases of the said Geneva mineral water at Chicago, Ill., alleging that the article had been shipped by Geneva Mineral Springs, from Geneva, N. Y., on or about November 9, 1931, and had been transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the food and drugs act as amended.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy and putrid animal and vegetable substance, since it contained the colon-aerogenes group of organisms.

Misbranding was alleged for the reason that the statements, "Phosphoric Acid * * * Lithia * * * Chloride Potassium * * * Iron," were false and misleading and deceived and misled the purchaser, since they implied that the water contained these chemicals in significant quantities, whereas it did not. Misbranding was alleged for the further reason that the statements appearing on the bottle label, "Nature's Remedy. * * * A Regulator," were statements concerning the curative or therapeutic effects of the said water, and were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing such effects.

On February 11, 1932, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19389. Adulteration and misbranding of Vigorex tablets for men and Vigorex tablets for women. U. S. v. 22 Bottles of Vigorex Tablets for Men, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 27000, 27001. I. S. Nos. 36947, 36948. S. No. 5204.)

Examination of samples of the drug products herein described showed that the articles contained less chromium sulphate than declared on the label. The bottle and carton labels and a circular shipped with each of the articles contained certain curative and therapeutic claims which investigation by this department failed to substantiate.

On or about October 6, 1931, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 22 bottles of Vigorex tablets for men

and 10 bottles of Vigorex tablets for women, remaining in the original packages at Houston, Tex., alleging that the articles had been shipped by the J. A. Roldan Co., St. Louis, Mo., on or about January 27, 1931, and had been transported from the State of Missouri into the State of Texas, and charging adulteration and misbranding in violation of the food and drugs act.

Analyses of samples of the articles by this department showed that the Vigorex tablets for men contained chromium sulphate (0.0675 gram per tablet), a calcium compound, phosphates, small proportions of an iron compound and glandular material, a trace of strychnine, sugar, and starch; and the Vigorex tablets for women contained a calcium compound, phosphates, traces of iron, zinc, chromium, and strychnine compounds, a fixed oil, sugar, and starch, coated with lime carbonate and colored with a blue dye.

It was alleged in the libels that the articles were adulterated in that they were sold under their own standards of strength, namely, "Sulfato de Chromium 0.097 Grms." and the strength of the said articles fell below such professed standard.

Misbranding was alleged for the reason that the statement, "Sulfato de Chromium 0.097 Grms.," borne on the labels, was false and misleading, since it did not state correctly the quantity of chromium sulphate contained in the articles.

This department in its report to the United States attorney, also recommended that charges, based on certain curative and therapeutic claims appearing in the labeling, be brought against the products, because they were found to contain no ingredients or combinations of ingredients capable of producing such effects. These curative and therapeutic claims, brief extracts from which were incorporated in the respective libels, were as follows: (Vigorex tablets for men, bottle) "Reconstituyentes del Sistema;" (carton) "For Men * * * 'Vigorex' * * * A well recommended tissue building * * * for Impotency, Sexual Debility and Nervousness;" (circular) "Directions for Using the 'Vigorex' Treatment for Men * * *;" (Vigorex treatment for women, bottle) "Reconstituyentes del Sistema;" (carton) "For Women * * * 'Vigorex' * * * A well recommended tissue building * * * for Impotency, Sexual Debility and Nervousness;" (circular) "Directions for Using the 'Vigorex' Treatment For Women For Neurasthenia, (general run-down, tired, debilitated condition) Menopause (change of life) disturbance and derangement, use as follows: * * * For Amenorrhoea (delayed, scanty and absent menses) Dysmenorrhoea, (painful or difficult menses) Sterility: Take two Vigorex Tablets 3 times daily for ten days;" (circular, both products) "Don't allow your supply of either Tablets to run out until you feel and know that you are entirely restored to your normal condition. * * * powerful treatment for constructive effect on the central nerve system which results justify persistent use in rebuilding shrunken tissues, strengthening the internal organ and stimulating nerve force and glands so vitally important to a normal condition. * * * to assist nature in a natural way to restore the fire of life, vivacity, youthful vigor, failing appetite, personal magnetism and power that has been partially or perhaps almost entirely lost or destroyed through the improper functioning of the central nerve and glandular system, or premature aging. It is well to understand in the beginning that in cases of long standing a reasonable time must be given the treatment to properly perform work. When nature has been abused and an abnormal condition developed and allowed to continue for an extended time complete recovery should not be expected from only a few days' treatment or even from the use of a single box. Where rebuilding is necessary, Nature must be given time to make healthy showing just as the deterioration and failing functions were gradual in their decay and in such cases it is generally advisable to take four to six boxes and in exceptional cases more may be required. The recuperating powers of some individuals are much slower to respond than others. In cases affected previously by venereal diseases, a treatment of Thirty to Sixty Days should be taken at least twice annually. Keep the bowels and liver working well and easily by use of * * * It is vitally important that the directions for taking Vigorex Treatment be followed closely if best results are desired and to be expected. No missing of doses to allow the effect to pass and have to be again renewed. The treatment should be continued as improvement is noted. * * * While Vigorex is very positive and certain in its action, yet Nature must have time and reason in replacing that which was perhaps years in being devitalized. Suggestions Living habits should be regulated to commendable normalcy.

Practice of self abuse of any kind should not even be considered. Avoid all alcoholic drinks while taking Vigorex." (Similar statements appeared in the circular in Spanish.)

On February 20, 1932, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture*.

19390. Adulteration and misbranding of iron colloidal with arsenic ampuls. U. S. v. William A. Fitch (Inc.). Plea of guilty. Fine, \$100. (F. & D. No. 27459. I. S. No. 15342.)

Examination of iron colloidal with arsenic ampuls involved in this action showed that the article contained much more arsenic than declared on the label.

On January 19, 1932, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against William A. Fitch (Inc.), a corporation, New York, N. Y., alleging shipment by said company in violation of the food and drugs act on or about October 18, 1930, from the State of New York into the State of New Jersey, of a quantity of iron colloidal with arsenic ampuls that were adulterated and misbranded. The article was labeled in part: "Iron Colloidal with Arsenic Fitch Each 5 cc. represents * * * Arsenic (As) 10 Mgms. William A. Fitch Inc."

It was alleged in the information that the article was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, in that each 5 cubic centimeters of the article was represented to contain 10 milligrams of arsenic, whereas each 5 cubic centimeters of the article contained more than 10 milligrams of arsenic, namely, not less than 27.6 milligrams of arsenic.

Misbranding was alleged for the reason that the statement "Each 5 cc. represents * * * Arsenic (As) 10 Mgms.," borne on the carton and ampul containing the article, was false and misleading in that the said statement represented that each 5 cubic centimeters of the article represented 10 milligrams of arsenic, whereas each 5 cubic centimeters of the article represented more than 10 milligrams of arsenic.

On January 25, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture*.

19391. Misbranding of Planters Cuban oil. U. S. v. 6 Dozen Bottles of Planters Cuban Oil. Default decree of destruction. (F. & D. No. 26841. I. S. No. 36612. S. No. 5010.)

Examination of a drug product, known as Planters Cuban oil, from the shipment herein described showed that the bottle and carton labels and an accompanying circular contained statements representing that the article possessed curative and therapeutic properties which, in fact, it did not possess. The name of the article indicated that it was a product of Cuba, whereas it was not.

On August 7, 1931, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of six dozen bottles of Planters Cuban oil, remaining in the original unbroken packages at Meridian, Miss., alleging that the article had been shipped by the Planter Medicine Co., from Baltimore, Md., on or about May 6, 1931, and had been transported from the State of Maryland into the State of Mississippi, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of kerosene, chloroform, and volatile oils including methyl salicylate, camphor, sassafras oil, and citronella oil, colored red.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, appearing in the labeling, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed; (Bottle) "Quickly Penetrating * * * Apply freely wherever the pain exists * * * For * * * Sores, etc.;" (carton) "An Excellent Liniment for the